

Appl. No. 10/089,338  
Docket No. AA431  
Amdt. dated Nov. 3, 2010  
Reply to Office Action mailed on August 3, 2010  
Customer No. 27752

## REMARKS

### Claim Status

Claims 1, 10 and 11 are pending in the present application. No additional claims fee is believed to be due.

Claim 1 has been amended to more specifically point out the invention. Support for the amendment may be found at page 22, lines 12 to 15 of the specification.

In addition, new Claim 12 has been added. Support for this amendment is found at page 10, lines 5 to 10 of the specification.

It is believed these changes do not involve any introduction of new matter. Consequently, entry of these changes is believed to be in order and is respectfully requested.

### Rejection Under 35 U.S.C. §102(a) Over Hanser (WO 98/42286 A1)

Claims 1, 10 and 11 have been rejected under 35 U.S.C. §102(a) as being anticipated by Hanser (WO 98/42286 A1). Applicants respectfully traverse this rejection.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The elements must be arranged as required by the claim. *In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Hanser teaches a sanitary napkin comprising a lotioned topsheet, flaps, attachment means, and a protective cover. Hanser also teaches that the protective cover can be treated with silicone and polyvinyl alcohol. (Page 18, lines 26 to page 20, line 16). Hanser does not teach or suggest a barrier sheet attached solely to the flap adhesives or a barrier sheet that only covers a portion of the garment surface of the flap, as claimed in the present application.

Applicants claim an absorbent article comprising flaps, each flap having flap adhesive on the garment side of each flap. An oil-based skin care composition is

provided on at least a portion of the topsheet of the absorbent article. The presently claimed absorbent article, as further amended, comprises a barrier sheet attached only to said absorbent article by the flap adhesive. Applicants claimed barrier sheet is not attached to the topsheet.

Applicants' new claim consists of a barrier sheet that only covers a portion of the absorbent article that is the garment surface of the flap. This is further distinguished from Hanser in that, not only is the barrier not connected to the topsheet, but it does not cover the entire garment surface thereby only protecting set areas of the absorbent article.

The treated protective cover in Hanser, is not attached solely by the flap adhesive nor does it cover only a portion of the garment surface of the flap, as claimed in the present application. Rather, the protective cover in Hanser covers the topsheet side of the flaps and the topsheet of the absorbent article. (Page 2, lines 17-19). The protective cover of Hanser protects the topsheet from all manner of inadvertent contamination before use of the article. (Page 19, lines 23-25). The protective cover does not cover the attachment means consisting of the flap adhesive or the even the garment surface. Page 4, lines 5-6 of Hanser teaches that the protective cover is releasably attached to both the flaps and to the topsheet upper surface. As shown in Fig. 3 of Hanser, which is a top view of a sanitary napkin, the protective cover covers the topsheet of the sanitary napkin and the topsheet side of the flaps, when the flaps are in an unfolded position. The protective cover does not cover the garment surface or is attached to the absorbent article solely by the flap adhesives.

Applicants submit that Hanser does not teach each and every element of the presently claimed invention. Applicants therefore submit that Hanser does not anticipate Claims 1 and 10-11 under 35 U.S.C. §102(a) and respectfully request that the present rejection be withdrawn.

#### Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference. In view of the foregoing, entry of the amendments presented herein, reconsideration of this application, and allowance of the pending claims are respectfully requested.

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Respectfully submitted,

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